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Approved For Release 2003/04/25 : CIA-RDP81-00314R000600010015-4

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United States Senate

SELECT COMMITTEE ON INTELLIGENCE

CRC, 2/13/2003 (PURSUANT TO S. RES. 44, 80TH CONGRESS)

WASHINGTON, D.C. 20510

September 16, 1977

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77-5804

recd 30 Sep

OLC #77-4027

IN REPLY PLEASE
REFER TO R#9816

Admiral Stansfield Turner
Director of Central Intelligence
Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

As you are aware, the Senate Select Committee on Intelligence is considering the introduction of legislation which would clarify the authority and responsibilities of the various departments and agencies performing intelligence functions. The Committee is currently examining existing statutory authority and the justification for its retention and would, in this regard, appreciate your views as Director of Central Intelligence.

The Central Intelligence Agency Act of 1949 (50 USC 403a-j, 63 Stat. 208) exempts the CIA and departments and agencies with which it deals from several provisions of law otherwise applicable to departments and agencies of the U.S. Government. Specifically, under §403f of Title 50, the CIA is authorized to:

"(a) Transfer to and receive from other Government agencies such sums as may be approved by the Office of Management and Budget...and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended... without regard to limitations of appropriations from which transferred;

"(b) Exchange funds without regard to section 543 of Title 31;

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"(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

"(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the Act of June 30, 1932, as amended...." [Emphasis added]

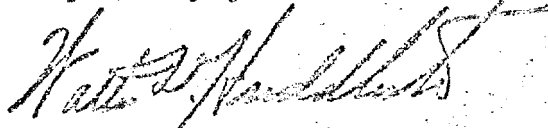
The Committee would appreciate your view of the extent to which these exemptions from statutory requirements are limited by Section 662 of the Foreign Assistance Act of 1961, as amended, and the desirability of continuing those exemptions, so limited, in any future legislation.

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Similarly, section 403g of Title 50 exempts the CIA from the provisions of section 654 of Title 5 and any similar laws "which require the publication or disclosure of the organization, functions, names, official titles, salaries or numbers of personnel employed by the Agency", and provides that the Director of OMB "shall make no report to the Congress in connection with the Agency under section 947(b) of Title 5." The Committee would also appreciate your views as to the desirability of continuing those exemptions in any future legislation.

Thank you for your assistance in this matter.

Very truly yours,



Walter D. Huddleston
Chairman, Subcommittee on
Charters and Guidelines

TRANSMITTAL SLIP		DATE 29 September 77
TO:	DD/Pers	
ROOM NO.	BUILDING Tube FX-2	
REMARKS:		
<p>Ben:</p> <p>This is the SSCI to DCI letter I talked to you about last evening. I would like your comment in relation to (c).</p> <p>WJA</p>		
FROM: WJA, OGC		
ROOM NO. 7D07	BUILDING HQS	
FORM NO. 241 1 FEB 65 REPLACES FORM 88-5 WHICH MAY BE USED.		

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